

RULES AND REGULATIONS OF THE STATE BAR OF CALIFORNIA

Article I, Section 13

(Amended by the Board of Governors January 26, 2002)

SECTION 13. SUSPENSION OF MEMBERS FOR FAILURE TO COMPLY WITH JUDGMENT OR ORDER FOR CHILD OR FAMILY SUPPORT

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- A. Upon receipt of the certified consolidated list, provided on or about February 1 of each year, from the State Department of ~~Social Services~~ **Child Support Services** pursuant to ~~Welfare and Institutions Code, section 11350.6~~ **Family Code section 17520**, the State Bar shall notify those members of the State Bar whose names appear on the list that they will be suspended for noncompliance with a judgment or order for child or family support, unless on or before the 150th day after the February 1 due date for payment of the annual membership fee, as provided in Business and Professions Code, section 6140, subdivision (b), the State Bar has received a release from the ~~district attorney~~ **local support agency which who** submitted the name of the member on the certified list. The notice shall include the address and telephone number of the ~~district attorney who~~ **local support agency which who** submitted the name of the member on the certified list and also inform the member that suspension for noncompliance shall not relieve the member of the obligation to pay the annual membership fee and that any fee already paid will not be refunded. The notice shall be made personally or by mail to the member's official membership records address.
- B. Upon expiration of the 150 days in subsection A above, ~~the Executive Director/Secretary shall deliver to the Board of Governors~~ **receive a certified copy of** a list of all members whose names appear on the certified consolidated list from the State Department of ~~Social Services~~ **Child Support Services**. ~~and shall indicate whether or not a district attorney's release, as that term is used in section 11350.6 of the Welfare and Institutions Code, has been received. for each name appearing on the list. At its next meeting, the Board of Governors.~~ **The Executive Director/Secretary** shall make a recommendation for the suspension of each member for ~~whom which~~ **no release, as that term is used in section 17520 of the Family Code**, has been received, and a certified copy of such recommendation shall thereupon be filed with the Clerk of the California Supreme Court. Upon receipt of an order from the California Supreme Court suspending a member pursuant to rule 962 of the California Rules of Court, written notice of such suspension shall be given to a member at his or her official membership records address. (Amended November 23, 1996.)
- C. **Reinstatement of Member Suspended for Noncompliance**
- Upon receipt of the ~~district attorney's appropriate~~ **release**, the **Executive Director/Secretary or designee**, shall certify the fact of the receipt of such release to the Clerk of the Supreme Court, and the member may be reinstated pursuant to order of the Supreme Court. (Amended November 23, 1996.)

- D. If, subsequent to the receipt of a ~~district attorney's~~ release which results in either the removal of a member's name from the Board of Governors' list of members recommended for suspension or the reinstatement of a member in accordance with the provisions of subsection C above, notice is received from the Department ~~Social Services~~ of Child Support Services that the member previously released is once again not in compliance with a judgment or order for support, the ~~Executive Director/Secretary~~ or designee shall immediately notify such member that the suspension of his or her license will be recommended to the Supreme Court, such suspension to take effect on a date certain and no later than thirty days from the date of the notice to such member. Once suspended, the member's license shall remain suspended until a new release is issued and the member's reinstatement is ordered by the Supreme Court in accordance with the provisions of subsection C of this section. (Amended June 1, 1996; November 23, 1996.)
- E. Nothing in this section shall be interpreted as relieving the member of the obligation to pay timely his or her annual membership fee.
- F. Pursuant to subdivision (n) of section ~~11350.6 17520~~ of the ~~Family Welfare and Institutions~~ Code, the State Bar may assess an administrative surcharge against a member whose name appears on the certified consolidated list from the State ~~Department of Social Services~~ Child Support Services (Former article I, section 10.1 adopted, October 31, 1992. Amended and renumbered as new article I, section 13, January 31, 1993; August 26, 1995; June 1, 1996.)